IN THE HIGH COURT OF JUDICATURE AT BOMBAY

IN ITS INSOLVENCY JURISDICTION

PETITION NO.31 OF 2006

Re : Wilbur Robert Gomes ..Debtor.

Ex-parte :
Citizen Co-op. Bank Ltd. ..Petitioning Creditors.

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Mr. R.N. Singh for the Petitioning Creditors.
Ms. Ramesh Rajwani i/b S.R. Mishra for the Debtor.

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CORAM: DR. D.Y. CHANDRACHUD, J.

3rd October, 2006.

P.C. :

The Insolvency Petition is based on an award dated 9th December, 2003 of the Co-operative Appellate Court. An Insolvency Notice was issued on 20th October, 2005 and was duly served on the Debtor on 14th November, 2005. The Notice of Motion taken out for setting aside the Insolvency Notice was dismissed on 18th April, 2006 and the appeal was also dismissed on 29th August, 2006. In these circumstances, there is no valid defence against the Petition. The Insolvency Petition is accordingly made absolute in terms of prayer clauses (a) and (c).